

**Re: AOR 1976-02**

**NOTE: The responsive document to AOR 1976-02 is an Opinion of Counsel, not an opinion issued by the Commission, and does not constitute an Advisory Opinion. It is included in this database for archival purposes and may not be relied upon by any person.**

27 FEB 1976

AOR 1976-2 issued as OC1976-19

OC 1976-19

Honorable Frank E. Moss  
United States Senate  
115 Russell Senate Office Building  
Washington, D.C. 20510

Honorable Gunn McKay  
U.S. House of Representatives  
417 Longworth House Office Building  
Washington, D.C. 20515

Honorable Allen T. Howe  
U.S. House of Representatives  
525 Longworth House Office Building  
Washington, D.C. 20515

Honorable Calvin L. Rampton  
Governor of Utah  
Salt Lake City, Utah 84114

Gentlemen:

This responds to your request for an advisory opinion from the Commission which was originally processed as AOR 1976-2. You ask whether, as candidates for Federal office, you can serve as an officer of a political committee that contributes to the Utah State Democratic Party, local and State campaigns and Federal campaigns including your own.

The Supreme Court recently held in Buckley v. Valeo, 44 U.S.L.W. 4127 (S.C. January 30, 1976), that the Commission as constituted could not be given statutory authority to issue advisory opinions. Although this part of the Court's judgment was stayed for 30 days the Commission has determined that it will not issue further advisory opinions under 2 U.S.C. §437f during the stay period. Thus, this letter should be regarded as an opinion of counsel, rather than an advisory opinion.

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directed to the campaigns of the officers who are Federal candidates, if (1) the Club utilizes its non-corporate funds (held in the segregated account) solely to make contributions to or expenditures on behalf of those officers, and (2) the donor knows of the Club's fund-utilization policy at the time his/her contribution to the Club is made. See AO 1975-32, AO 1975-48, and AO 1975-74, copies enclosed. I note also that 18 U.S.C. §608(b)(3) limits contributions by individuals to the Club.

The foregoing represents an opinion of counsel which the Commission has noted without objection.

Sincerely yours,

Signed: John G. Murphy, Jr.  
John G. Murphy, Jr.  
General Counsel

Enclosures

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